



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Farina et al Docket: MN-9091A

Filed: August 8, 2001 Group Art Unit: 1744

Serial No.: 09/924,383 Examiner: William Beisner

Title: Reagent Container and Canister For Use  
In An Automated Microbiological Analyzer

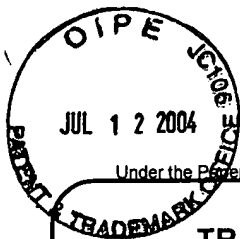
**SUPPLEMENTAL RESPONSE UNDER 37 CFR 1.116**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

This communication is in response to the Examiner's Advisory Action dated May 28, 2004, in which claims 1 and 3-11 were rejected. Applicants respectfully request entry of the attached Affidavits as they believed to put the case in condition for allowance. In the alternative, it is believed to put the case in better form for appeal. Reconsideration of the now claimed invention is respectfully requested and the following submitted in support thereof.

AF/ 1744  
IFW



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/924,383	
	Filing Date	AUGUST 8, 2001	
	First Named Inventor	FARINA	
	Art Unit	1744	
	Examiner Name	WILLIAM BEISNER	
Total Number of Pages in This Submission	10	Attorney Docket Number	MN-9091A

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks  STAMPED, SELF-ADDRESSED POSTCARD		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	DADE BEHRING INC.
Signature	<i>Leland K Jordan</i>
Date	JULY 7, 2004

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Typed or printed name	LELAND K JORDAN		
Signature	<i>Leland K Jordan</i>	Date	JULY 8, 2004

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